



FREDERICK COUNTY PLANNING COMMISSION

November 9, 2011

TITLE: Hyattstown Church: Johannes Property

FILE NUMBER: SP 09-05 (AP# 9449)

REQUEST: APFO Letter of Understanding - Approval

PROJECT INFORMATION:

LOCATION: East of MD 355 and south of Lewisdale Road.
ZONE: Zoned: R1 (Residential)
REGION: Urbana
WATER/SEWER: W-NPS, S-NPS
COMP. PLAN/LAND USE: Rural Community

APPLICANT/REPRESENTATIVES:

APPLICANT: Clarksburg Congregation of Jehovah's Witnesses
Clarksburg Maryland, Inc.
OWNER: Mountain View, LLC.
ATTORNEY: Not Listed

STAFF: Ronald Burns, Traffic Engineer

RECOMMENDATION: Approval

Enclosures:

Exhibit #1: Non-executed Letter of Understanding (LOU)
Exhibit #2: Developer's Option Letter dated January 18, 2010
Exhibit #3: April 14, 2010 Staff Report

STAFF REPORT

BACKGROUND

The purpose of this consent agenda item is to formally approve the APFO Letter of Understanding (LOU) for the Hyattstown Church: Johannes Property Project. This project received conditional APFO and site plan approval on April 14, 2010. This project comes under the APFO regulations in existence prior to July 2009.

ANALYSIS

This project was reviewed for potential impacts on roads, water and sewer, and schools.

Sewer and Water: *The property will be served by well and septic.*

Schools: This project is not subject to a schools adequacy test as this site plan has a non-residential use.

Roads: This lot will be capped at 220 Sunday Peak Hour Trips

The County and the applicant have identified the need to contribute toward two existing escrow accounts to fund construction of two intersections which would be impacted by the proposed development. The improvements were identified based on a traffic Impact analysis (TIA), dated April 8, 2009 by The Traffic Group, Inc. Consistent with §1-20-12 and §1-20-13, the applicant has agreed to provide a proportionate share of \$1,199 toward improvements at MD 355 intersections at Fire Tower Road and E. Campus Way. Details of the fee derivations are reported in the attached LOU.

The Developer's contribution to the road escrow account as set forth in the Developer's Option Letter has already been made in anticipation of Planning Commission approval. Therefore no cost escalation language is necessary in the LOU.

FINDINGS:

The Staff finds that the attached Letter of Understanding fulfills the requirements of the APFO FcPc conditional approval of April 14, 2010.

RECOMMENDATION:

Staff recommends signature of the attached LOU.